

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

SONY MUSIC ENTERTAINMENT, ET AL.,

Plaintiffs,

v.

COX COMMUNICATIONS, INC. AND
COXCOM, LLC.

Defendants.

Case No. 1:18-cv-00950-LO-JFA

**REPLY DECLARATION OF
THOMAS M. BUCHANAN IN
FURTHER SUPPORT OF COX'S
MOTION TO EXCLUDE THE
TESTIMONY OF PUTATIVE
EXPERT WILLIAM H. LEHR,
Ph.D.**

I, Thomas M. Buchanan, hereby declare:

1. I am a partner at the law firm Winston & Strawn LLP, counsel to Defendants Cox Communications, Inc. and CoxCom, LLC (collectively, "Cox") and represent Cox in the above-captioned matter. I submit this Declaration in support of Cox's Motion to Exclude the Testimony of Putative Expert William H. Lehr, Ph.D. I have personal knowledge of all facts stated in this declaration and if called upon as a witness, I could and would competently testify thereto.

2. Attached as **Exhibit A** is a true and correct copy of the Expert Report of Dr. Stephen M. Nowlis in *Arista Records, Inc. v. Flea World, Inc.*, No. CIV.A 03-2670(JBS) (D.N.J.), ECF 114-3 at 7-31.

3. Attached as **Exhibit B** is a true and correct copy of the Memorandum in Support of Motion to Exclude Plaintiffs' Expert, Dr. Stephen M. Nowlis in *Arista Records, Inc. v. Flea World, Inc.*, No. CIV.A 03-2670(JBS) (D.N.J.), ECF 114-1.

4. Attached as **Exhibit C** is a true and correct copy of excerpts of the videotaped

deposition of Sidd Negretti, who was a Rule 30(b)(6) designee of Cox, dated June 14, 2019.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 11th day of October, 2019 in Washington D.C.

/s/ Thomas M. Buchanan

Thomas M. Buchanan (VSB No. 21530)